APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/207,945	12/09/1998	BINH NGUYEN	5577-115	7467

20792	7590	12/28/2005	**EXAMINER**	

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ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 12/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/207,945	NGUYEN ET AL.
	Examiner	Art Unit	
	Thu V. Huynh	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 September 2005</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-46* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-46* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: amendment filed on 09/29/05 to application

filed on 12/09/1998.

2.   Claims 3 19 and 35 are amended.

3.   Claims 1-48 are pending in the case. Claims 1, 8, 12, 17, 24, 28, 33, 40, and 44 are

independent claims.

4.   The objections of claims 3, 19, and 35 have been withdrawn as necessitated by the

amendment.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

(b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6.   **Claims 1-6, 8-22, 24-38, 40-48 remain rejected under 35 U.S.C. 103(a) as being**

unpatentable over <u>Thomas</u>, US 6,128,663, priority filed 02/1997, in view of <u>Durst</u>, JR. et al.,

US 2003/0093384 A1, priority filed 05/1998, and <u>Hawkins</u>, US 2001/0032254 A1, filed

05/1998.

Regarding independent claim 1, Thomas teaches the steps of:

- storing a record of a user request within a web server (Thomas, col.4, lines 23-52; storing a record of a user request within a remote server);

- generating a requested web page, wherein the generated web page includes a content object having a unique identifier associated therewith (Thomas, col.5, lines 14-29; col.6, lines 5-22; generating a web page includes objects, such as randomly selected image banner advertisement 106 and hyperlink button 108. Each object having a unique identifier associated therewith, such as image file and URL);

- serving the generated web page to the web client (Thomas, col.5, lines 14-19; displaying the generated web page to the user);

- appending the stored record of the user request with the unique identifier associated with the content object included within the generated web page (Thomas, col.7, lines 18-30; appending the demographic information with the URL).

However, Thomas does not explicitly disclose the web server log and unique identifier is generated via a hashing function.

Durst teaches demographic and user information is stored in a web server log (Durst, [0066], [0077]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Durst into Thomas to provide a log file to store user information, since the combination would have allowed the system to store user's demographic in a log file or a database.

Hawkins teaches unique identifier is generated via hashing function along with each hyperlink (Hawkins, [0378], [0379]).

It would have been obvious to a version of ordinary skill in the art at the time the invention was made to have combined Hawkin into Thomas and Durst to provide a unique identifier which is generated by a hash function, since the combination would have allowed to request a document in a compressed form as Hawkins disclosed in paragraph [0727].

Regarding claim 2, which is dependent on claim 1. Thomas discloses wherein the record of the request includes information that identifies the user (Thomas, col.4, lines 23-52, lines 49-58).

Regarding claim 3, which is dependent on claim 1. Thomas also discloses the method according to claim 1 wherein the step of generating the requested web page comprises the steps of:

- retrieving a layout template for the requested web page, wherein the layout template defines how the content object is displayed within the requested web page (Thomas, col.5, lines 15-56; retrieving a web document that specifies how an advertisement image and link button are displayed in the document for customizing);

- retrieving the content objects (Thomas, col.5, lines 38-56; retrieving advertisement more suitable for the user); and

-    combining the content objects and the layout template to produce the requested

web page (Thomas, col.5, lines 15-56; combining the retrieved advertisement into

the web document for displaying).

Regarding claim 4, which is dependent on claim 3. Thomas discloses the method

according to claim 3 wherein the content object is selected from the group of image files,

hyperlinks (Thomas, col.5, lines 15-56, advertisement image and link button).

Regarding claim 5, which is dependent on claim 1. Thomas does not teach analyzing a

plurality of stored user request records to determine web content preferences of a user.

Durst teaches analyzing a plurality of stored user request records to determine web

content preferences of a user (Durst, [0059]).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have combined Durst and Thomas to provide an appropriate web page for

a user, since the user demographic used to determine web content preference of a user as Durst

disclosed.

Regarding claim 6, which is dependent on claim 1. Thomas does not disclose the step of

appending the stored record of the user request with a time stamp for a subsequence user request

for a web page.

Durst teaches appending the stored record of the user request with a time stamp for a

subsequence user request for a web page (Durst, [0059]).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to have combined Durst and Thomas to help the server more accurately analyze the user's records to determine web content preferences of a user, since such information would have used to determined files to be dynamically generated for the user as Durst disclosed.

Regarding independent claim 8, Thomas teaches the steps of:

- generating the requested web page, wherein the generated web page includes first and second content objects having respective unique first and second identifiers associated therewith (Thomas, col.5, lines 14-29; col.6, lines 5-22; generating a web page includes objects, such as randomly selected image banner advertisement(s) 108 and hyperlink button 108. Each object having a unique identifier associated therewith, such as image file and URL);

- serving the generated web page to the web client (Thomas, col.5, lines 14-19; displaying the generated web page to the user);

- retrieving a layout template for the requested web page, wherein the layout template defines how content objects are displayed within the requested web page (Thomas, col.5, lines 15-56; retrieving a web document that specifies how an advertisement image and link button are displayed in the document for customizing);

- retrieving the first and second content objects (Thomas, col.5, lines 38-56; retrieving advertisements more suitable for the user); and

- combining the first and second content objects and the layout template to produce the requested web page (Thomas, col.5, lines 15-56; combining the retrieved advertisements into the web document for displaying).

Dependent claim 9 includes limitations of claim 2, and is rejected under the same rationale.

Dependent claim 10 includes limitations of claim 4, and is rejected under the same rationale.

Dependent claim 11 includes limitations of claim 5, and is rejected under the same rationale.

Regarding independent claim 12, Thomas teaches the steps of:

- associating dynamically generated web page content with a user who requests a web page from a web server via a web client in communication with the web server (Thomas, col.5, lines 14-29; col.6, lines 5-22) comprising the steps of:

- generating a requested web page, wherein the generated web page includes a content object having a unique identifier associated therewith (Thomas, Thomas, col.5, lines 14-29; col.6, lines 5-22; generating a web page includes objects, such as randomly selected image banner advertisement(s) 108 and hyperlink button 108. Each object having a unique identifier associated therewith, such as image file and URL); and

- serving the generated web page to the web client (Thomas, col.5, lines 14-19; displaying the generated web page to the user).

Dependent claim 13 includes limitations of claim 2. Refer to the rationale relied to reject claim 2, wherein the record of the request includes information that identifies the user is addressed. The rationale is incorporated herein.

Dependent claim 14 includes limitations of claim 3. Refer to the rationale relied to reject claim 3, wherein retrieving a layout template for the requested web page, wherein the layout template defines how content objects are displayed within the requested web page; retrieving the content objects; and combining the content objects and the layout template to produce the requested web page are addressed. The rationale is incorporated herein.

Dependent claim 15 includes limitation of claim 4. Refer to the rationale relied to reject claim 4, wherein the content object is selected from the group consisting of text file, audio files, video files, image files and hyperlinks is addressed. The rationale is incorporated herein.

Dependent claim 16 includes limitation of claim 5. Refer to the rationale relied to reject claim 6, the step of analyzing a plurality of stored user request records to determine Web content preference of a user is addressed. The rationale is incorporated herein.

Claims 17-22 and 24-32 are for a computer system performing the method of claims 1-6 and 8-16, respectively and are rejected under the same rationale.

Claims 33-38 and 40-48 are for a computer program performing the method of claims 1-6 and 8-16, respectively and are rejected under the same rationale.

7.   **Claims 7, 23, 39 remain rejected under 35 U.S.C. 103(a) as being unpatentable over**

Thomas in view of Durstand Hawkins as applied in claim 6 above and further in view of

Gerace, US 5,991,735 A1, filed 05/1998.

Regarding claim 7, which is dependent on claim 6. Thomas does not disclose the step of

determining a length of time the user views the generated web page using the time stamp within

the store record.

Gerace teaches determining a length of time a user views the generated web page using a

time stamp within a store record (Gerace, col.2, lines 38-42; col.7, lines 44-47).

It would have been obvious to a person of ordinary skill in the art at the time the

invention was made to have combined Gerace into Durst and Thomas to provide a suitable web

page for the user, since the combination would have determined appropriate advertisements for

the user based on analyzing of users' demographic.

Claim 23 is for a computer system performing the method of claim 7 and is rejected

under the same rationale.

Claim 39 is for a computer program performing the method of claim 7 and is rejected

under the same rationale.

Response to Arguments

8.   Applicant's arguments filed 09/29/05 have been fully considered but they are not

persuasive.

Applicants ague that Thomas does not teach storing a record of a user request, since Thomas teaches storing user demographic information.

This is not persuasive. In the cited portion, Thomas teaches storing a record of a user who requests a web page within a remote server by registration. The record includes user demographic information and demographic identifier so that the demographic identifier is retrieved and appended to the user request of a web page. Therefore, Thomas's teaching perfectly matches applicants' claim language.

Applicants argue that Thomas does not teach append content object identifiers to stored records of user request.

This is not persuasive. In col.5, line 15 – col.6, line 40, Thomas teaches the user request a web page 104 via hyperlink button 108; storing a record of the user who requests the web page, wherein the record includes the user demographic identifier; generating and displaying the requested web page with hyperlink button 110 (content object having a unique identifier); the user request a web page by clicking on the hyperlink button 110; appending the demographic identifier to the request so that an appropriate advertising banner is used in the requested web page according to the demographic identifier (Thomas, col.4, lines 49-51; "appending the demographic identifier to a request"). It is clearly that the demographic information is appended with the request (content object having a unique identifier) and therefore Thomas teaches appending the stored record of the user request with the unique identifier associated with the content object as what applicants claimed.

Applicants argue that Thomas and Durst does not teaches storing a record of a user

request and demographic information is not a record of a request for a web page.

This is not persuasive. As explained above, the demographic information as well as

demographic identifier is a "<u>record of a user request</u>" as claimed.

Applicants argue that "no reason other than a hindsight effort to recreate the invention of

claim 1.

This is not persuasive. Both Thomas teaches demographic information is stored on a

server. Durst teaches the demographic is stored on a server log (Durst, [0066], [0077]).

Therefore the combination of these two references is proper.

Applicants argue that "nowhere does it state that the identify of the user is included in a

record of a request for a web page"

This is not persuasive. In the cited portion, Thomas teaches the request includes the

demographic information that identifies the user so that a suitable banner is used in the requested

web page.

Applicants argue that Durst does not teach analyzing stored user request records to

determine Web content preferences of a user.

This is not persuasive. Thomas teaches that based on stored user demographic, an

appropriate banner image is used in the generated web page for the user as explained above.

Durst teaches analyzing plurality of stored user request records so that a vendor can determine

who have accessed the web site and a file generation and determine a language of the file to send

to the user (Durst, [0059]).

Conclusion

9.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing
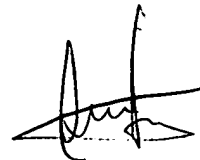
date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thu V. Huynh whose telephone number is (571) 272-4126. The

examiner can normally be reached on Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TVH
December 20, 2005

STEPHEN HONG
SUPERVISORY PATENT EXAMINER